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EXAMINER	
BANTAMOI, ANTHONY	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	**Application No.** 10/679,206	**Applicant(s)** SUSSMAN, LESTER	
	Examiner ANTHONY BANTAMOI	**Art Unit** 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 August 2009_.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-5,7,8,11-18 and 20-24_ is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-5,7,8,11-18 and 20-24_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention
>
> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1, and 2, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. First, second and third page selection means are not fully supported by the originally filled specification (a page selection means comprising a remote control unit having plurality of keys does not support first, second and third page selection means). Through out this Office Action first, second and third page selection means is considered as a page selection means.

2. Claims 1, 3, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3, and 13, are rejected under 35 U.S.C. 112, second paragraph, as failing to comply with the written description requirement.

Claim 1 recites the limitations "said data signal", “said television advertisement picture”, “said television advertisement”, and “said teletext data navigation instructions” in (a), (b), and (f). There is insufficient antecedent basis for these limitations in the claim. Through out this Office Action, “said data signal” is read as “said television advertisement data signal”, “said television advertisement picture” is read as “said television advertisement picture signal”, “said television advertisement” is read as “said television advertisement picture signal”, and “said teletext data navigation instructions” is read as “said television advertisement teletext data navigation instructions”.

Claim 3 recites the limitations “said specific television advertisement”, “said television advertisement” in (b), (c), and (d). There is insufficient antecedent basis for these limitations in the claim. Through out this Office Action, “said specific television advertisement” is read as “said specific television advertisement picture signal”, and “said television advertisement” is read as “said television advertisement picture signal”.

Claim 13 recites the limitations “said page of teletext contact data” in (b), and (c). There is insufficient antecedent basis for these limitations in the claim. Through out this Office Action, “said page of teletext contact data” is read as “said page of teletext data”.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5, 7-8, 11-18, 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,021,185 to Staron. (Staron), in view of US Patent Publication 2003/0014754 to Chang. (Chang).

Regarding claim1, Staron teaches a television apparatus to extract on-demand television advertisement contact information (col. 1, ll. 18-20 (advertisements are mere shorter versions of television programs)) comprising:

a) a television receiver (2) in said television apparatus (1) for receiving a television advertisement picture signal (col. 1, ll. 20-21) having a television advertisement data signal (col. 1, ll. 18-20 (advertisements are mere shorter versions of television programs)), embedded therein, wherein said data signal representing a page of teletext data of said television advertisement picture (col. 3, ll. 52-54);

(b) a data acquisition circuit (3) for acquiring said page of teletext data of said television advertisement, wherein said page of teletext data comprising a plurality of data (figure 1, entire);

(c) a first memory (8) in said television apparatus for storing a plurality of said page of teletext data (col. 4, ll. 1-2),

(d) a first display (13) in said television apparatus for generating images representative of selected portions of said page of teletext data (figure 1, label 13),

(e) a first page selection means (remote control) for selecting said page of teletext data for display on said television apparatus (figure 2, entire),

(f) a first wireless transceiver (col. 5, ll. 18-20) circuit in said television apparatus for transmitting said page of teletext data to a remote control device upon receiving a request signal from said remote control device for said first page selection of said television advertisement, and for receiving a set of television advertisement teletext data navigation instructions into said television apparatus, said teletext data navigation instructions to navigate said teletext data stored in said first memory_ in said television apparatus (col. 4, ll. 1-46),

(g) a second page selection means (figure 2, label 12) for selecting said page of teletext data for display on a second display on said remote control device, (h) a third page selection means (figure 2, label 12) for selecting said page of teletext data for transmission to said remote control device (col. 4, ll. 33-36).

(i) a microcontroller (not shown (col. 3, ll. 63-67)) in said television apparatus coupled to said first memory (8), said first display (13), said first page selection means (figure 2, label 12), said second page selection means (figure 2, label 12), said third page selection means (figure 2, label 12), and said first wireless transmitter (5), circuit, and wherein said microcontroller (not shown (col. 3, ll. 63-67)) in said television apparatus (1) being configured to cause delivery of a set of television control signals to said first wireless transmitter circuit (5) upon receiving a set of signals from said remote control device via said first wireless transmitter circuit (7) and to select portions of said page of teletext data to be displayed on said first display in response to a request signal received from said remote control device (figure 2, label 12, & col. 4, ll. 34-46).

The combination of Staron and Chang teaches said plurality of data including contact information to contact a representative of said television advertisement by said television viewer, wherein said page of teletext data embedded in said television advertisement picture signal occurring at an advertisement teletext insertion time, said advertisement teletext insertion time occurring in non real-time to said television advertisement picture signal transmission to said television apparatus.

In that Staron teaches embedding miscellaneous information in the form of teletext into a television signal (col. 3, ll. 52-54) which meets “wherein said page of teletext data embedded in said television advertisement picture signal occurring at an advertisement teletext insertion time” and Chang teaches pushing advertiser contact information (telephone number) into local STB for off-line review (Para. 0029, ll. 1-4) which meets “said plurality of data including contact information to contact a representative of said television advertisement by said television viewer, said advertisement teletext insertion time occurring in non real-time to said television advertisement picture signal transmission to said television apparatus”.

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Staron to in include said plurality of data including contact information to contact a representative of said television advertisement by said television viewer, said advertisement teletext insertion time occurring in non real-time to said television advertisement picture signal transmission to said television apparatus as taught by Chang in order to support an advertisement response system wherein viewer does not have to physically dial the telephone number to contact an advertiser, thereby increasing user convenience (Para. 0030, ll. 3-7).

Regarding claim 2, Staron teaches the television apparatus, wherein said first page selection means, said second page selection means and said third page selection means comprise a remote control device having a plurality of command keys (figure 2, label 12).

Regarding claim 3, Staron teaches a television apparatus to extract on-demand television advertisement contact information (col. 1, ll. 18-20 (advertisements are mere shorter versions of television programs)) comprising:

a) a television receiver (2) in said television apparatus (1) for receiving a television advertisement picture signal () having a television advertisement data signal;

(b) a data acquisition circuit (3) for acquiring said page of teletext data of said television advertisement, wherein said page of teletext data comprising a plurality of data (figure 1, entire);

(a) a first memory _ in a television apparatus for storing a plurality of television advertisement teletext data, wherein each said television advertisement teletext data is embedded in a specific television advertisement picture signal received and displayed on an active television apparatus (col. 4, ll. 1-2, col. 1, ll. 20-21, & col. 1, ll. 18-20 (advertisements are mere shorter versions of television programs));

(b) a second memory in said remote control device for storing a plurality of television advertisement teletext data, wherein each said television advertisement teletext data is inserted in said specific television advertisement picture signal received and displayed on said active television apparatus (figure 2, label 8, & col. 4 , ll. 6-10, ll. 26-34),

(c) a display in said remote control device for generating images representative of selected portions of said television advertisement, advertisement and said page of teletext data (figure 2, label 10),

(d) a user input device in said remote control device for enabling input of television channel selection, a set of television advertisement teletext data navigation instructions including a selection input of said television advertisement displayed on said active television apparatus, and a set of communications instructions into said remote control device (figure 2, label 12),

(e) a wireless transceiver circuit in said remote control device for transmitting a set of control signals and a set of data signals to said television apparatus and a said third electronic device and for receiving an on-demand selection of said page of teletext data from said television apparatus (col. 4, ll. 1-46),

(f) a microprocessor in said remote control device coupled to said second memory, said display, said user input device and said wireless transmitter ~~circuit,~~ circuit in said remote control device, wherein said microprocessor in said remote control device being configured to cause delivery of said set of control data signals to said wireless transmitter circuit and to select portions of said page of teletext data to be displayed on said display in said remote control device in response to said set of communications instructions received from said user input device, and wherein said teletext data is selected from the group comprising an analog teletext system and a digital teletext system (not shown (figure 2, label 9, & col. 4, ll. 1-46).

Staron and Chang teaches wherein said page of teletext data with inserted in said television advertisement picture signal occurring at an advertisement teletext insertion time, said advertisement teletext insertion time occurring in non real-time to said television advertisement picture signal transmission to said television apparatus.

In that Staron teaches embedding miscellaneous information in the form of teletext into a television signal (col. 3, ll. 52-54) which meets “wherein said page of teletext data with inserted in said television advertisement picture signal occurring at an advertisement teletext insertion time” and Chang teaches pushing advertiser contact information (telephone number) into local STB for off-line review (Para. 0029, ll. 1-4) which meets “occurring in non real-time to said television advertisement picture signal transmission to said television apparatus”.

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Staron to in include occurring in non real-time to said television advertisement picture signal transmission to said television apparatus as taught by Chang in order to support an advertisement response system wherein viewer can access advertisement information even when the system is offline.

Regarding claim 5, Staron teaches the remote control device (figure 2, entire), wherein said set of communications instructions include:

(v) retrieval and display of said page of teletext data stored in said second memory in said remote control device; (vi) transmission of said retrieved page of teletext data to said third electronic device from said remote control device (col. 4, ll. 33-46).

Staron is silent on selection and deletion of said page of teletext data stored in said second memory in said remote control device.

Goreta teaches selection and deletion of said page of teletext data stored in said second memory in said remote control device (column 5, ll. 24-31, & figure 2, label 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the advertisement response system of Staron to include selection and deletion of said page of teletext data stored in said second memory in said remote control device as taught by Goreta in order to increase user control over data management in external device memory.

Regarding claim 7, Staron teaches the teletext is selected from the group comprising an analog teletext system and a digital teletext system (col. 1, ll. 41-46).

Regarding claim 8, Staron teaches the third electronic device being selected from the group consisting of a telephone, a computer, a personal digital assistant device and a television set-top box (figures 1-2).

Regarding claim 11, Staron teaches the wireless transceiver circuit being selected from the group consisting of an infrared circuit and a Bluetooth-enabled circuit (figure 1, label 11).

Regarding claim 12, Staron teaches the wireless transceiver circuit being selected from the group consisting of an infrared circuit and a Bluetooth-enabled circuit (figure 1, label 11).

Regarding claim 13, Staron teaches a method to extract on-demand television advertisement contact information by a television viewer (figures 1-2) comprising the steps:

(a) embedding said television advertisement contact information in a television picture signal of a television advertisement; wherein said embedded television advertisement contact information represents a page of teletext data (col. 4, ll. 35-46, col. 4, ll. 1-2, col. 1, ll. 20-21, & col. 1, ll. 18-20 (advertisements are mere shorter versions of television programs)) ;

(b) receiving a multiplicity of said television advertisement and said page of teletext contact data on an active television apparatus (figure 1, entire);

(c) extracting a multiplicity of said contact information of teletext contact data on said active television apparatus, and storing said page of teletext contact data in a first memory means in said television apparatus (col. 3, ll. 52-54);

(d) using a remote control device to transmit on-demand a multiplicity of said page of teletext data of a displayed television advertisement picture on said active television apparatus from said first memory means in said active television apparatus to a second memory means in said remote control device; and wherein said television apparatus is a first electronic device and wherein said remote control device is a second electronic device (col. 4, ll. 1-48).

Staron and Chang teaches wherein said page of teletext data embedded in said television advertisement picture signal occurring at an advertisement teletext insertion time, said advertisement teletext insertion time occurring in non real-time to said television advertisement picture signal transmission to said television apparatus.

In that Staron teaches embedding miscellaneous information in the form of teletext into a television signal (col. 3, ll. 52-54) which meets "wherein said page of teletext data embedded in said television advertisement picture signal occurring at an advertisement teletext insertion time, said advertisement teletext insertion time" and Chang teaches pushing advertiser contact information (telephone number) into local STB for off-line review (Para. 0029, ll. 1-4) which meets "occurring in non real-time to said television advertisement picture signal transmission to said television apparatus".

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Staron to in include occurring in non real-time to said television advertisement picture signal transmission to said television apparatus as taught by Chang in order to support an advertisement response system wherein viewer can access advertisement information even when the system ids offline.

Regarding claim 14, Staron teaches the method comprising the additional steps of:

(e) selecting a specific page of teletext data in said first memory means in said active television apparatus and transmitting said page of teletext data to said remote control device; (f) storing said transmitted page of teletext data in said second memory means in said remote control device; said first memory means in said active television apparatus using an input means on said remote control device; (h) displaying said page of teletext data on said television apparatus display using said remote control device (col. 4, ll. 1-49).

Regarding claim 15, Staron teaches the method comprising the additional steps:

(i) displaying said page of teletext data stored in said second memory means in said remote control device on a second display means on said remote control device; (j) said second memory means in said remote control device using said input means on said remote control device; (k) displaying on said active television apparatus said page of teletext data selected in said second memory means in said remote control device, using said input means in said remote control device (col. 4, ll. 1-49).

Staron is silent on using said page of teletext data stored in said second memory means in said remote control device to contact a representative of said television advertisement, using a third electronic device over a network means.

Chang teaches using said page of teletext data stored in said second memory means in said remote control device to contact a representative of said television advertisement, using a third electronic device over a network means (Para. 0043, entire).

0Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Staron to in include using said page of teletext data stored in said second memory means in said remote control device to contact a representative of said television advertisement, using a third electronic device over a network means as taught by Chang in order to support an advertisement response system wherein viewer does not have to physically dial the telephone number to contact an advertiser, thereby increasing user convenience (Para. 0030, ll. 3-7).

Regarding claim 16, Staron teaches the third electronic device being selected from the group consisting of a telephone, a computer, a personal digital assistant device and a television set-top box (figure 1, label 15).

Regarding claim 17, Staron teaches the network means being selected from the group consisting of an Internet and a public telephone network (col. 1, ll. 64-67).

Regarding claim 18, Staron teaches the television signal being selected from the group consisting of a cable television signal, a satellite television signal and a broadcast television signal (figure 1, entire).

Regarding claim 20, Staron teaches the teletext is selected from the group comprising an analog teletext system and a digital teletext system (col. 1, ll. 54-57).

Regarding claim 21, Staron teaches the remote control device wherein said page of selected teletext data is transmitted and printed on a printing device (figure 1, label 15).

Regarding claims 22-24, Staron teaches the television apparatus, wherein said page of teletext data comprises a first tag marking start of said page of teletext data, said contact information and a second tag marking end of said page of teletext data (col. 1, ll. 54-57 (start and end points are inherent)).

Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable Staron, in view of Chang, in view of US Patent 5,973,747 to Goreta. (Goreta).

Regarding claim 4, Staron teaches the remote control device (figure 2, entire), wherein said set of communications instructions include:

(i) retrieval and display of said page of teletext data for an advertisement displayed on said television apparatus; (ii) retrieval and display of said page of teletext data stored in said television apparatus first memory; (iv) retrieval of said page of teletext data stored in said television apparatus first memory (col. 4, ll. 33-46)

Staron is silent on selection and deletion of said page of teletext data stored in said first memory in said television apparatus.

Goreta teaches selection_and deletion of said page of teletext data stored in said first memory in said television apparatus (column 5, ll. 24-31, & figure 2, label 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the advertisement response system of Staron to include selection and deletion of said page of teletext data stored in said first memory in said television apparatus as taught by Goreta in order to increase user control over data management in external device memory.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571)2727296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ANTHONY BANTAMOI/
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423